

Easterling, Deborah

From: The McMilion <emcmilion3@gmail.com>
Sent: Friday, November 29, 2019 10:10 AM
To: PSC_Contact
Cc: The McMilions; Nelson, Jeff; Dover, Becky; Grube-Lybarker, Carri; Heather Smith; Rebecca J. Dulin; Samuel Wellborn; Frank R. Ellerbe III
Subject: [External] 2019-331-E motion to strike #2

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To whom it may concern,

I Enrique McMilion Jr. am the complainant in 2019-331-E. On October 17th 2019, I requested from the commission 120 days to file testimony, and to have that request ruled upon before any other motion was presented to the commission (hence the reason for the motion to strike). The reasons for the request are as follows:

- 1). I am not an attorney. It takes time for me to research and apply the rules of procedure, relevant case law, precedent, and a list of authorities from different jurisdictions. Mr. Wellborne counsel for the defendant DECLLC, is an attorney, a well educated individual that has the benefits of a team and several years dealing in the legal arena, and a multi billion dollar corporation as his client. This puts me at an extreme disadvantage , even so I believe if given the 120 days I can present to the commission a compelling case, for a fair and meaningful hearing.
- 2). Time. This time is needed because I have other duties in my life which require me to take advantage of the cooler weather. As a man who has suffered heat stroke, and multiple bouts with heat exhaustion, the time I spend outdoors is limited. During these cooler months is my busiest time of year, some days working from sun up to sun down. I require these 120 days because the time it takes for me to research and apply the rules of procedure, relevant case law, precedent, and a list of authorities from different jurisdictions needs to be done after my other duties have been done for the day.
- 3). The complaint was drafted in haste. As I have mentioned in my original request for extension, the defendant (DECLLC) sent a meter technician unannounced, while an E-mail complaint to the Office Of Regulatory Staff was being ignored by Mr. Chad Campbell. Shell shocked by these events, I quickly drafted the complaint to the South Carolina Public Service Commission in hopes of halting the actions of the defendant as they threatened to be back within a matter of hours to install a digital meter absent my consent, and Mrs. Jean Veatch a representative for the defendant, unequivocally refused to provide the amending terms and conditions to the contractual relationship upon my requirement. Needless to say the complaint contained typos, and appeared to be drafted by a person who was in a panic, which was indeed the case (there was no time to even proofread before sending). For a fair and meaningful hearing it is necessary for me to re-present a well thought out unrushed complaint to the commission untarnished by a motion to dismiss from the counsel for the defendant on a complaint that was hurried in such a way. There are legal concepts and relevant case law that I was not able to articulate for reasons of haste, and it is imperative to have the extension request granted, and the defendants motion to dismiss be stricken from the record as to not diminish me before the commission.
- 4). Request for extension does not prejudice any party in any way. I ask the commission and Mr. Wellborne himself what harm is brought to any party by having a well thought out complaint unburdened by haste being presented to the commission.
- 5). Pro-Se. Courts have traditionally granted a little leeway to pro-se litigants. As a layman this extension, and motion to strike will provide equal footing.
- 6.) Motion to strike the motion to dismiss from the record must be granted. As per my wish to have the motion of extension ruled upon by the commission before any other motion by the defendant was presented to the commission is necessary because of the reasons listed above.

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A fair and meaningful hearing is all I'm asking for, as it stands if motion for extension and motion to strike the motion to dismiss from the record are not granted, a fair and meaningful hearing is not possible before the commission.

Regar

ds,

Enrique McMilion Jr